

REMARKS

In response to the Office Action mailed on July 25, 2006, Applicants amended claims 1 and 6, and cancelled claim 58. Claims 1-6, 34-39, 59-60 are presented for examination.

Applicants affirm the election with traverse of silver nitrate as the single disclosed species of the silver-containing material. The Examiner noted that claim 6 does not read on the elected subject matter. As amended, claim 6 covers silver nitrate. Support for claim 6 can be found, for example, at page 11, lines 5-6 of Applicants' specification. Thus, claims 1-6, 34-39, and 59-60 read on the elected subject matter of record.

The Examiner rejected claims 1-5, 34-36, 38-39, and 58-60 under 35 U.S.C. § 102(a) as anticipated by JP 2000-327578 ("Takashi"), and under 35 U.S.C. § 102(b) as anticipated by EP 328 421 ("Fox"). Applicants cancelled claim 58, so the rejection of this claim should be withdrawn. As amended, claims 1-5, 34-36, 38-39, and 59-60 cover pharmaceutical compositions including a silver-containing material in a carrier selected from the group consisting of creams, ointments, gels, lotions, pastes, and foams. Neither Takashi nor Fox disclose such pharmaceutical compositions. Instead, Takashi discloses an aqueous solution of silver nitrate, (see, e.g., Takashi, abstract), and Fox discloses silver nitrate solutions for coating purposes. (See, e.g., Fox, page 13, lines 35-58.) Applicant therefore request that the rejection be reconsidered and withdrawn.

The Examiner rejected claims 1-5, 34-39, and 58-60 under 35 U.S.C. § 102(b) as anticipated by HU 9800078 ("the '078 reference"). Applicants cancelled claim 58, so the rejection of this claim should be withdrawn. Claims 1-5, 34-39, and 59-60 cover pharmaceutical compositions including a silver-containing material in a carrier selected from the group consisting of creams, ointments, gels, lotions, pastes, and foams, whereas the '078 reference discloses a solution of iodine and silver nitrate. (See, e.g., the '078 reference, abstract.) Thus, Applicants request that the rejection be reconsidered and withdrawn.

Applicants believe the claims are in condition for allowance, which action is requested.


Applicant : Burrell et al.
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Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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